IN RE: P

PETITION FOR RESIDENTIAL

ZONING VARIANCE

N/S of Parkwood Road, 298 ft.

W of the c/l of Page Drive

213 Parkwood Road

12th Election District 7th Councilmanic District

Lionel vanDommeler, Jr.

Petitioner

* BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 98-398-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Lionel vanDommeler, Jr., property owner, for that property known as 213 Parkwood Road in the Dundalk section of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 1802.3.C and 303.1 of the Baltimore County Zoning Regulations (BCZR) to allow a front yard setback of 18 ft., in lieu of the required 33 ft., (front average); and a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, in a D.R.5.5 zone. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Chiefford Control

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this A day of May 1998 that the Petition for a Zoning Variance from Sections 1802.3.C and 303.1 of the Baltimore County Zoning Regulations (BCZR) to allow a front yard setback of 18 ft., in lieu of the required 33 ft., (front average); and a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Compliance with the comment submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, The Office of Planning, dated May 13, 1998, is adopted in its entirety and made a part of this Order.
- 2. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

NAMRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

May 21, 1998

Mr. Lionel vanDommeler, Jr. 213 Parkwood Road Baltimore, Maryland 21222

RE: Petition for Administrative Variance

Case No. 98-398-A

Property: 213 Parkwood Road

Dear Mr. vanDommeler:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Mawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	213	Parkwood	Pd.	21222
		which is pr	esently zo	med DR5-5

	which is presently zoned DR5-5
hereto and made a part hereof, hereby petition for a Variano	Baltimore County and which is described in the description and plat attached be from Section(s) (80 2 . 3 . C . ; 30 3 . / ; 8 . 2 . 2 . 7
PERMIT A FRONT VAI	20 SETRACK OF 18ft. IN LIEU NE
THE REQUIRED 33+1. CFF BACK OF 4ft. IN	CIEN OF THE REDVIRED COST. FOR AN
of the Zoning Regulations of Baltimore County, to the Zoning practical difficulty)	g Law of Baltimore County; for the following reasons: (indicate hardship or ADDITION)
I would like to construct	i an addition to the front of my
home that would require a vi	ariance fronthe required setback in
DR5.5.	·
Property is to be posted and advertised as pre- i, or we, agree to pay expenses of above Variance advertise be bound by the zoning regulations and restrictions of Balt	escribed by Zoning Regulations, sing, posting, etc., upon filing of this petition, and further agree to and are to imore County adopted pursuant to the Zoning Law for Baltimore County.
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee:	Legal Owner(s).
	Lionel van Donnelen Ja
(Type or Print Name)	(Type or Print Name)
	Swind van Commenter.
Signature	
Address	(Type or Print Name)
*	
City State Zipcode	Signature 410 254 2030 (w
Attorney for Petitloner:	213 Parkwood Rd, 410 285 8121 (HO
(Type or Print Name)	Address Phone No
1	Baltimore MD 21222
Signature	City State Zipcode Name, Address and phone number of representative—to be contacted
Address Phone No	Dame as above
Address Phone No	The Market of the Control of the Con
City State Z!pcode	Address Phone No.
A Public Hearing having been requested and/or found to be required, if that the subject matter of this petition be selfacion throughout Battimore County, and that the property be reported to the property because	t is ordered by the Zoning Commissioner of Ballimore County, this day of 19

ITEM #: 398



REVIEWED BY CM DATE: 4.2798
ESTIMATED POSTING DATE: 5.3.98



Printed with Snyboan Ink on Recycled Paper

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 213 Parkwood Rd.
address 7.7
Baltimore MD 21222 City State ZIP Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
I would like to construct an addition to the Front of
I would like to construct an addition to the Front of my home that would require a variance from the required oetback in DRS.5.
required octback in DR5.5.
,
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.
may be required to provide additional information.
(signature)
Lionel von Donnelen (signature)
(type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wat: 1 HEREBY CERTIFY, this
I HEREBY CERTIFY, this
Long Van Aummelen
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law
that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.
TIAMMIIII
My Commission Expires:
My Commission Expires:
My Commission Expires September 1, 2001
言、 NOBLIC . O B

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 213 Parkwood Pd.
That the Affiant(s) does/do presently reside at 213 Parkwood Pd. Balto. The ZIZZ City State Zip Code
City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
I would like to construct an addition to the tro
I would like to construct an addition to the Front of my home that would require a variance from the required setback in DRS.5
the required setback in DR5.5
,
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. (signature) (type or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1 HEREBY CERTIFY, this
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal. NOTARY PUBLIC My Commission Expires: My Commission Expires September 1, 2001
PUP OF



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 213 Parkwood Pd. 2 which is presently zoned This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BOZ. 3.C.; 303.1; BCZR, to permit a frost yard addition setback of 18 ft. in lieu of the required 33 ft. (Front aver), and a side yard setback of 4 ft in lieu of the required 10 ft. For an addition. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) I would like to construct an addition to the front of my home that would require a variance from the required setback in DR5.5 Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee (Type or Print Name) Signature (Type or Print Name) Address Signature Zipcode City Attorney for Petitioner (Type or Print Name) Signature Phone No. Address

Zoning Commissioner of Baltimore County



City

REVIEWED BY: 0 M DATE: 4.22-98

State



Zipcode

Printed with Soybean Ink on Recycled Paper

Address

98-398-A

Phone No.

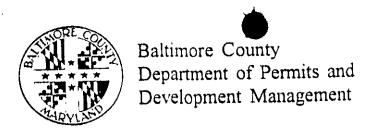
ZONING DESCRIPTION FOR 213 PARKWOOD ROAD

Beginning at a point on the North side of Parkwood Road which is 50 feet wide at the distance of 298 feet West of the centerline of the nearest improved intersecting street, Page Drive which is 50 feet wide. Being Lot #68, Section #2 in the subdivision of Gray Manor as recorded in Baltimore County Plat Book #CHK 13, Folio #34, containing 8,253.75 square feet. Also known as 213 Parkwood Road and located in the 12th Election District, 7th Councilmanic District.

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1. 用农一次的财产 - 1876年179	, MORA — ENGLIER JEHE JAS 5 MORALI ANDUS CACH DAG JOHNES — (MC238)	6/52 M	1001-		4-22-98	DATE
(A.O. LAR v. Harvani	NO. (45770) Co Baltimore County, N	3 Phekwoon		AMOUNT \$	eo Donnelen	RECEIVED
		10		- UND.	(016) Pd.	/
8-1	8.398	9				
	B·39	9				DISTRIBUTI

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 398 -A Address 213 PARKWOOD Po
Contact Person: Phone Number: 410-887-33
Filing Date: 4.22-98 Posting Date: 5.3.98 Closing Date: 5.18.9
Any contact made with this office regarding the status of the administrative variance should through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. As reposting must be done only by one of the sign posters on the approved list and the petition is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to fi a formal request for a public hearing. Please understand that even if there is no form request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (conder that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearin (whether due to a neighbor's formal request or by order of the zoning or deputy zonin commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originall posted, certification of this change and a photograph of the altered sign must be forwarded this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 98-398 -A Address 213 Parkwood Po.
Posting Date: 5.3.98 Closing Date: 5.18.98
Vording for Sign: To Permit A FRONT YARD SETBACK of 18ft.
N LIEU of The REQUIRED 33ft. (FRONT AUG.) AND A SIDEYARD
SETBACK of 4ft. IN LIEN of The PEDVIRED 10ft.
TOR AN ADDITION.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

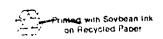
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 398
Petitioner: LIONE UAN DOMMELEN JR.
Location: 213 PARKWOOD PA.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Lionel van Donnelen Jr.
ADDRESS: 213 Parkwood Pd.
Baltimore, MD 21222
PHONE NUMBER: 410. 285. 8121

AJ:ggs

(Revised 09/24/96)



	RE: Case No.: <u>98-398-A</u>
	Petitioner/Developer:
	J-MERREY
	Date of Hearing/Closing: 5/18/98
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the property	f perjury that the necessary sign(s) required by law located at
The sign(s) were posted on	5/3/98 (Month, Day, Year)
CASE # 98-398-A	Sincerely,
	(Signature of Sign Poster and Date) RICHARO E - HORIMAN (Printed Name)
213 PARKWOOD RO.	904 DELLYOOD DR, (Address) FALLSTOLI, MO, 21047 (City, State, Zip Code) (410) 879-3122 (Telephone Number)
PUSTED 5/3/98 Duhul ES/1/5/3/98	

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 11, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for May 11, 1998

Item Nos. 394, 396, 397, 398, 399,

400, 401, 402, and 403

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE:

FROM:

R. Bruce Seeley . R. B. Permits and Development Review

DEPRM

Zoning Advisory Committee

Meeting Date:

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP



Parris N. Glendening Governor David L. Winstead Secretary

Parker F. Williams Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

5.1.31

Item No.

398

JCM

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

I. J. Gradh

Ronald Burns, Chief Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 13, 1998 TO: Arnold Jablon, Director

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Parkwood Road

INFORMATION

398 Item Number:

Petitioner: Lionel van Dommeler

DR 5.5 Zoning:

Requested Action: Variance

Summary of Recommendations:

Staff supports the applicant's request provided that elevation drawings for the addition be submitted to the Planning Office for review and approval prior to the issuance of a building permit.

Prepared by: Jeffy W. Ling

Division Chief: Cany L. Kluns

AFK/JL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

May 7, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 4, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

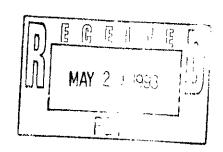
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

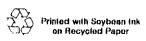
393, 395, 397, 398, 400, 402, and 403

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





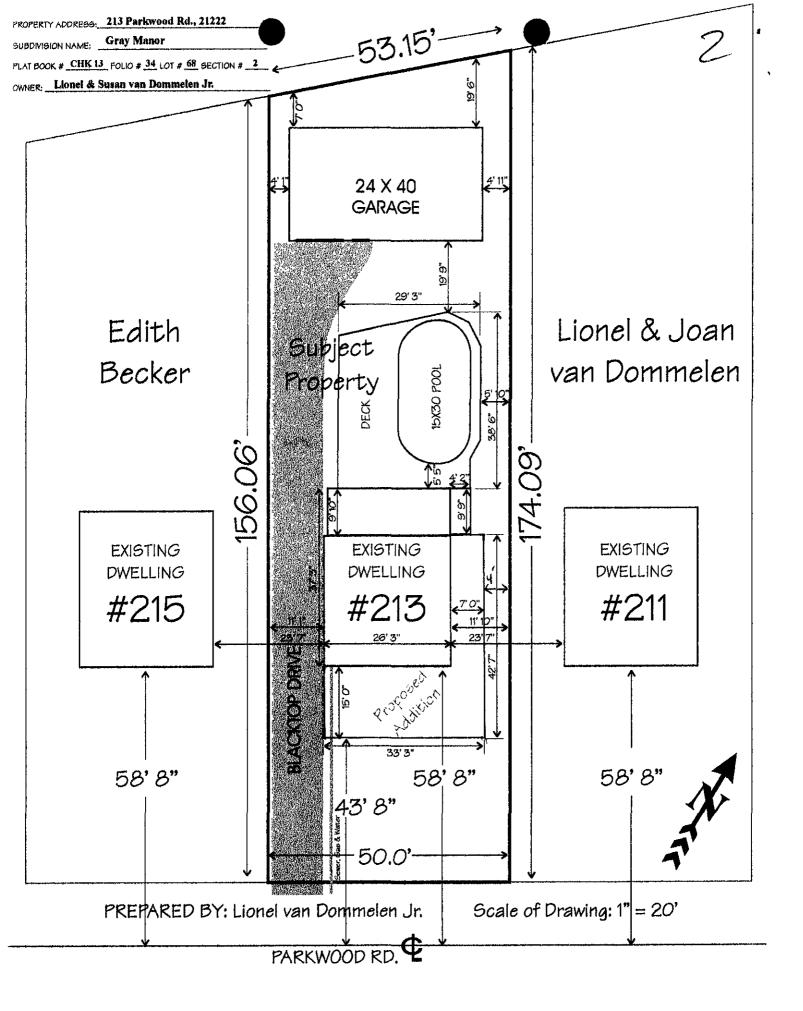
213 Parkwood Rd., 21222

OWNER: Lionel & Susan van Dommelen Jr. PLAT BOOK # CHK 13 FOLIO # 34 LOT # 68 SECTION # 2 SUBDIVISION NAME: PROPERTY ADDRESS: #221 Ŝ SMETTING #510 200 **Gray Manor** Parkwood Rd. (50° r/w, 28° Paving) 588. #217 588; Becker #215 Edith 156,06 BLACKTOP DRIVE Subject -63.15 EXISTING
DWELLING
#213 Property CAPACE 588" 174.09 van Dommelen Lionel & Joan 588 eashing #211 296' =/- To C Page Dri EXISTING DWELLING #209 200-

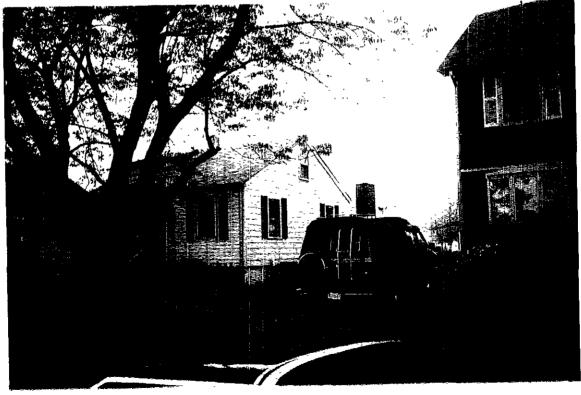
PREPARED BY: Lionel van Dommelen Jr.

Scale of Drawing: 1" = 50'

DATE: 3/9/98







98-398-A







